

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections and objections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance.

It is submitted that these claims are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, and the remarks that follow as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes and remarks are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

New claims 41-76 are pending. Claims 14 and 59 are independent. Previous claims 1-40 are hereby canceled without prejudice or disclaimer of subject matter. No new matter is added by these amendments. Support for the recitations in the claims is found throughout the specification.

The abstract of the disclosure was objected to because of a minor informality. Specifically, the Examiner stated that reference to Fig. 3 should not be included in the abstract. The abstract is hereby amended. Applicant therefore respectfully requests that the objection to the abstract of the disclosure be withdrawn.

The specification was objected to because of an informality. Specifically, the Examiner stated that the word “broker” is misspelled as “booker” throughout the specification. However, the use of the term “booker” is correct. There are two different units mentioned in the specification and claimed in the claims. These units are the QoS (Quality of Service) ~~broker~~ being identified by the reference numeral 8 in Fig. 3 and the

reference numeral 31 in Fig. 6. The network resource ~~broker~~ is also shown in Fig. 3, however, it is misspelled. Therefore, Applicant has provided a replacement drawing sheet of Fig. 3 for the corresponding previously filed drawing sheet. The replacement sheet amends Fig. 3 by replacing the word “broker” in the “NRB: Network Resource Broker” block (bottom right corner) with the word “booker.”

Claims 2-20 and 22-40 were objected to because of minor informalities. Claims 2-20 and 22-40 are hereby canceled, thereby rendering their objections moot.

Claims 10 and 30 were further objected to because of additional minor informalities. Claims 10 and 30 are hereby canceled, thereby rendering their objections moot.

Claims 1 and 21 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 1 and 21 are hereby canceled, thereby rendering their rejections moot.

Claims 1-40 were rejected under 35 U.S.C. 102(e) as allegedly anticipated by Arunachalam et al. (U.S. Patent No. 6,631,122).

Although Applicants disagree with the Examiner’s allegations, the submission of new claims 41-76 renders the rejections moot.

Further, Applicant submits that the document cited by the Examiner fails to teach or suggest new claims 41-76.

Independent claims 41 and 59 are directed to a processing system for a wireless mobile device for communication in a wireless communication network, with a component coordinator unit providing applications with a generic platform and network-independent framework, which uses a platform and network-neutral set of application

adaptation mechanisms, including a Quality of Service negotiation and re-negotiation protocol, and with a Quality of Service broker unit being managed by the component coordinator unit and coordinating local and remote resource management by using the negotiation and re-negotiation protocol.

The general concept of the invention is a generic framework for a wireless mobile device for supporting applications installed on the mobile device whenever Quality of Service communications with other devices in the communication network are required. The present invention focuses on functions, which are integrated in the mobile device in order to guarantee Quality of Service for local resources, i.e. resources of the mobile device, and remote resources, i.e. resources of the network. In order to achieve these functionalities, a component coordinator unit and a Quality of Service broker unit as defined and claimed in new independent claims 41 and 59 are presented.

In contrast to the prior art, the present invention enables not only network resources to be monitored and controlled in order to guarantee Quality of Services, but also resources of the mobile device itself. As understood by Applicant, Arunachalam discloses the concept of a Quality of Service agent, which is tightly coupled with a Quality of Service manager. The Quality of Service agent is a functionality of the terminal device and depends on the Quality of Service manager, which is a functionality of the network. The Quality of Service manager, i.e. the network constantly brokers any adaptation of resource usage, whereby resources of the network are managed and controlled. The Quality of Service agent disclosed by Arunachalam can be compared to the low-level functionality accessed by the framework described e.g. in the block "Quality of Service and Mobility Enhanced Network Protocol Stack" in Fig. 3 of the subject patent

application. As a result, the content of the present invention deals with functionalities, which are placed at a much higher level as compared to the Quality of Service agent disclosed by Arunachalam (column 4, lines 16-59).

Therefore, Applicant submits that independent claims 41 and 59 are patentable.

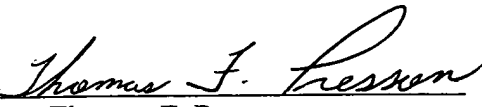
The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference, there is the bases for a contrary view.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawing includes changes to Fig. 3. This sheet replaces the corresponding original sheet. In Fig. 3, the term "Broker" is replaced with the term -- Booker--.